

DECISION



24303
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-210675

DATE: February 22, 1983

MATTER OF: Kord's Ambulance Service, Inc.

DIGEST:

Protest filed with GAO more than 10 working days after protester had knowledge of initial adverse agency action on its protest to agency is untimely filed and is not for consideration on the merits.

Kord's Ambulance Service, Inc. (Kord's), protests the Veterans Administration contracting officer's award of a contract for ambulance services. Kord's previously protested this award to the Veterans Administration. On December 16, 1982, the Veterans Administration denied the protest.

Our Bid Protest Procedures, 4 C.F.R. § 21.2(a) (1982), require that if a protest is initially filed with the agency, any subsequent protest to our Office must be filed within 10 working days of actual or constructive knowledge of initial adverse agency action.

Allowing a reasonable time for receipt of the denial letter, the protest filed with our Office on January 26, 1983, was filed more than 10 working days after denial of the protest to the agency. See Halifax Engineering, Inc., B-209822, December 15, 1982, 82-2 CPD 537. Consequently, the protest is untimely and will not be considered on the merits.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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